

REMARKS

In the Office Action the Examiner noted that claims 1-17 are pending in the application, and the Examiner rejected all claims. By this Amendment, claims 1-10 and 12-17 have been amended. No new matter has been presented. Thus, claims 1-17 remain pending in the application. The Examiner's rejections are traversed below, and reconsideration of all rejected claims is respectfully requested.

Interview Conducted On May 24, 2007

The Applicants express appreciation to the Examiner for the interview granted on May 24, 2007. At this interview, the Applicants discussed the fact that the cited prior art references disclosed no such purchase information interactions between a client and providers of goods and/or services, as well as other distinguishing features. No agreement was reached, as the Applicants agreed to amend the claims to more clearly recite some of the patentable features. By this Amendment, the claims have been amended accordingly. At least portions of the interview discussion are included in the remarks below.

Claim Rejections Under 35 USC §103

On pages 3-6 of the Office Action the Examiner rejected claims 1-17 under 35 U.S.C. §103(a) as being unpatentable over U.S Patent No. 5,895,450, issued to Sloo (hereinafter referred to as "Sloo") in view of U.S. Patent No. 6,330,551, issued to Burchetta et al. (hereinafter referred to as "Burchetta"), and further in view of U.S. Patent No. 6,236,980, issued to Reese (hereinafter referred to as "Reese"). The Applicants respectfully traverse the Examiner's rejections of these claims.

Claim 1 of the present application, as amended, recites a mediation negotiating method for mediating a negotiation between a client and providers of goods and/or services using an electronic network. A mediating request received from a client is analyzed to form requesting conditions, including a plurality of items in which request purchase information has been prioritized, which are then notified to a plurality of the providers selected in accordance with the requesting conditions. After receiving response information from participating providers, the response information of all of the participating providers is then notified to the client and the selected providers. The Applicants respectfully submit that none of the cited references, either alone or in combination, disclose or suggest at least these features recited in claim 1.

The Applicants respectfully submit that the references cited by the Examiner apparently disclose no such commercial interaction, i.e., between a client and providers of goods and/or services regarding purchase information, at all. Sloo discloses a program which presents a draft solution from a claimant against another party in a legal claim. The program facilitates a negotiation processing in which, in a legal dispute, the program directs an apparatus to receive a complaint from a complainant against a subject, to receive from the subject a response to the complaint, and to store the complaint and response in a data record, along with negotiating a settlement of the complaint. Therefore, there are no client and providers of goods and/or services involved. In fact, there are apparently only two parties involved in the process disclosed in Sloo, i.e., the complainant and the subject. Thus, a commercial transaction between a client and a plurality of providers is not even contemplated, much less disclosed or suggested. Therefore, there is also no selection of certain providers among a plurality of providers according to priority conditions. The Applicants respectfully submit that Sloo apparently neither discloses nor suggests any of the recited features of claim 1, and in fact operates in a wholly different field of endeavor.

Likewise, Burchetta discloses a computerized system for automated dispute resolution through the internet for communicating and processing a series of demands to satisfy a claim made by or on behalf of a claimant or other person involved in a dispute with at least one other person, such as a defendant or defendant's insurer. The portion of Burchetta cited by the Examiner discloses a negotiation processing, for example, when negotiations cannot be started because a first criterion is not satisfied in comparison of a first request with a presentation applied for within a prescribed period of time, another comparison is made as to whether a second request and presentation satisfy a second criterion. However, Burchetta apparently merely discloses only comparing a plurality of requests with a plurality of presentations, and nothing regarding allocating priorities to request purchase information, nor presenting response information of all of the participating providers to a client and a plurality of providers. In fact, as in Sloo, there is no client/provider interaction at all disclosed or contemplated in Burchetta. Therefore, Burchetta does not cure any of the many deficiencies of Sloo in regard to claim 1 of the present application, and also operates in a different field of endeavor.

Reese also does not cure any of the deficiencies of Sloo or Burchetta in regard to claim 1 of the present application. Reese discloses a sequential display of abstracts of magazine articles in accordance with a ranking of the recommenders. However, this ranking is prepared merely on the recommendations of the recommending parties, and there is no disclosure or even contemplation of allocating priorities regarding requesting conditions from a client, and

selecting providers based on those priorities. Again, as with Sloo and Burchetta, there is apparently no client/provider interaction disclosed or contemplated in Reese.

In order to form a proper §103 rejection, the cited references must disclose all of the features of the rejected claim. As discussed above, none of the cited references, either alone or in combination, disclose or suggest the recited features of claim 1 of the present application. In fact, none of the recited features of claim 1 are even contemplated by the cited references, as they do not contemplate any sort of client/provider interaction regarding purchase information. Therefore, the Applicants respectfully submit that claim 1 patentably distinguishes over the cited references, and further respectfully requests the withdrawal of the Examiner's §103 rejection of claim 1.

Claims 2 and 4-11 depend from claim 1 and include all of the features of that claim plus additional features which are not disclosed or suggested by the cited references. Therefore, it is respectfully submitted that claims 2 and 4-11 also patentably distinguish over the cited references.

Independent claims 3 and 12-17 recite similar features to those discussed in regard to claim 1, and which are not disclosed or suggested in the cited references. For example, claims 15-16 recite receiving response information from a plurality of providers of goods and/or services arranged in accordance with the priorities of request purchase information inputted into said negotiation field. At least these features are not disclosed, suggested, nor contemplated in the cited references. Therefore, it is respectfully submitted that claims 3 and 12-17 also patentably distinguish over the cited references.

Summary

In accordance with the foregoing, claims 1-10 and 12-17 have been amended. No new matter has been presented. Thus, claims 1-17 are pending and under consideration.

There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

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Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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